

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR TUESDAY, NOVEMBER 14, 2023

1:00 P.M. SESSION

E PR F MS PO

BENCH POSITION: McShan, J., Pritzker, J., Egan Jr., J.P., Fisher, J., Powers, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	535248 CV-22-1934	<b>SUNNYVIEW FARM LLC v LEVY LEVERAGE LLC</b> <b>Appellant - Laura E. Ayers, Esq.</b> Law Office of Laura E. Ayers (Sunnyview Farm, LLC, et al.) <b>Respondent - Donald J. Hillmann, Esq.</b> Couch White, LLP (Robert M. Greenberg) <b>Respondent - Paul M. Freeman, Esq.</b> Freeman Howard, P.C. (Levy Leverage LLC, et al.)	10  5  5
(2)	535997	<b>HENDERSON v TAKEMOTO</b> <b>Appellant - Molly C. Casey, Esq.</b> O'Connor, O'Connor, Bresee & First, PC (Richelle Takemoto) <b>Respondent - Peter C. Papayanakos, Esq.</b> Cherundolo Law Firm PLLC (Veronica Henderson)	10  10
(3)	535980	<b>MATTER OF GOLDSTEIN v TAX APPEALS TRIB.</b> <b>Petitioner - David G. Burch, Esq.</b> Barclay Damon LLP (Sam Goldstein, et al.) <b>Respondent - Owen Demuth, Esq.</b> Office of the New York State Attorney General (Commissioner of Taxation and Finance)	10  10

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Calendar No.	Case No.	Title	Time Allocated
(4)	535976	<b>MATTER OF SCHREIBER v TAX APPEALS TRIB.</b> <b>Petitioner - David G. Burch, Esq.</b> Barclay Damon LLP (Herman Schreiber, et al.)	5
		<b>Respondent - Owen Demuth, Esq.</b> Office of the New York State Attorney General (Commissioner of Taxation and Finance)	5
(5)	CV-22-2311	<b>MATTER OF DUSTIN D. [PAUL D.]</b> <b>Appellant - Sandra M. Colatosti, Esq. [Assigned]</b> <b>Respondent - Nicholas M. Martin, Esq.</b> Saratoga County Attorney's Office (Saratoga County Department of Social Services)	SUB 5
		<b>Attorney for the Child - Elena J. Tastensen, Esq. [Assigned]</b>	SUB
(6)	CV-23-0003	<b>MCNAMARA v BURESH</b> <b>Appellant - Sean A. Tomko, Esq.</b> Law Office of Santacrose Rary Tomko Diaz-Ordaz Whiting (Steven J. Buresh)	10
		<b>Respondent - Christopher P. Meyer, Esq.</b> Smith, Dominelli & Guetti (Deanne McNamara, et al.)	10
(7)	535827	<b>ROSENBERG v DUTCHESS LAND CONSERVANCY</b>	SUB
(9)	534499	<b>MATTER OF DARLENE A. v CARL C.</b> <b>Appellant - Dana L. Salazar, Esq. [Assigned]</b> (Carl C.)	10
		<b>Respondent - Eric M. Galarneau, Esq. [Assigned]</b>	SUB
		<b>Attorney for the Child - Joseph R. Williams, Esq.</b>	SUB

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Calendar No.	Case No.	Title	Time Allocated
(8)	535947	<b>PEOPLE v WAYNE SHUFELT (SORA)</b> <b>Appellant - Steven Sharp, Esq.</b> (Wayne Shufelt) <b>Respondent - Daniel J. Young, Esq.</b> Albany County District Attorney's Office (The People of the State of New York)	10 10
(10)	CV-23-0321	<b>MATTER OF DARIUS L.</b>	SUB
(11)	536032	<b>MATTER OF RICHARD TT.</b>	SUB
(12)	CV-22-2052	<b>MATTER OF STEVEN ALMINDO (COMMISSIONER OF LABOR)</b>	SUB
►(13)	112681	<b>PEOPLE v ANDREW BARRETT</b>	SUB
(14)	CV-23-0056	<b>MATTER OF VILLAGIL v SAUCE PIZZERIA III</b>	SUB
(15)	535725	<b>MATTER OF ALLEN v NEW YORK CITY HOUSING AUTH.</b>	SUB

► **112681 - PEOPLE v ANDREW BARRETT**  
Panel: E F MS PO